

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

Valuation of Security

Assumption of Executory Contract or Unexpired Lease

Lien Avoidance

Last revised: August 1, 2020

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

In Re: Robert Forester

Case No.: \_\_\_\_\_

Debtor(s)

Judge: \_\_\_\_\_

Chapter 13 Plan and Motions

Original

Modified/Notice Required

Motions Included

Modified/No Notice Required

Date: 5/17/2023

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3016. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

DOES  DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

DOES  DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULTS IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

DOES  DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s) Attorney: RAF 

Initial Debtor: RAF 

Initial Co-Debtor: \_\_\_\_\_

Part 1: Payment and Length of Plan

a. The debtor shall pay \$250.00 per Month to the Chapter 13 Trustee, starting on 01/01/2023 for approximately 21 months and then \$1,500.00 per month for 39 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

Future earnings

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

Sale of real property

Description: \_\_\_\_\_

Proposed date for completion: \_\_\_\_\_

Refinance of real property:

Description: \_\_\_\_\_

Proposed date for completion: \_\_\_\_\_

Loan modification with respect to mortgage encumbering property:

Description: \_\_\_\_\_

Proposed date for completion: \_\_\_\_\_

d.  The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e.  Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection  None

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to: \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$2,000.00
DOMESTIC SUPPORT OBLIGATION		\$0.00
New Jersey Division of Taxation	Tax Obligation	Unknown
Internal Revenue Service	Tax Obligation	\$17,953.03

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount: Check one:

None

The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence

NONE

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Select Portfolio Servicing, Inc.	7 Ruth Court	\$14,043.96	0.00%	\$14,043.96	\$2,612.00
Tax Collector, City of Absecon	7 Ruth Court	\$1,500.00	0.00%	\$1,624.86	
Tax Collector, City of Absecon	7 Ruth Court	\$3,885.18	18.00%	\$5,920.73	
Tax Collector, City of Absecon	7 Ruth Court	\$ 227.05	0.00%	\$ 227.05	
Toyota Motor Credit Corp.	2018 Mazda CX-9	\$ 10.00	0.00%	\$ 10.00	\$477.69

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears:

NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506:

NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid Through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments

NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender

NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C. 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan  NONE

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan:  NONE

Creditor Collateral Total Amount to be Paid Through the Plan

**Part 5: Unsecured Claims**

NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

Not less than \_\_\_\_\_ to be distributed *pro rata*

Not less than \_\_\_\_\_ percent

Pro Rata distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis of Separate Classification	Treatment	Amount to be Paid

**Part 6: Executory Contracts and Unexpired Leases**

NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

**Part 7: Motions**  NONE

NOTE: All plans containing motions must be served on all affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11 U.S.C. Section 522(f).  NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avolded

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Schedule Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.  NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- Upon confirmation  
 Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Priority Administrative Expenses
- 3) Secured Claims
- 4) Other Priority Claims
- 5) General Unsecured Claims

d. Post-Petition Claims

The Trustee  Is,  is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification  NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 01/24/2023

Explain below why the plan is being modified:

Secured claim filed by Tax Collector, City of Absecon; Secured claim filed by Toyota less than provided in original plan

Explain below how the plan is being modified:

Secured claim filed by Tax Collector, City of Absecon to be paid in full through Plan; Toyota to be paid \$10.00 through Plan

Are Schedules I and J being filed simultaneously with this Modified Plan?  Yes  No

Part 10: Non-Standard Provision(s); Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

NONE

Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, Chapter 13 Plan and Motions, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 12/15/2022

Date: 12/15/2022

Date: 12/15/2022

*/s/ Robert Forester*

Debtor

*/s/*

Joint Debtor

*/s/ Robert Loefflad*

Attorney for the Debtor

In re:  
Robert Allan Forester  
Debtor

Case No. 22-19923-JNP  
Chapter 13

District/off: 0312-1  
Date Rcvd: May 24, 2023

User: admin  
Form ID: pdf901

Page 1 of 3  
Total Noticed: 37

The following symbols are used throughout this certificate:

**Symbol      Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
- ^ Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 26, 2023:**

<b>Recip ID</b>	<b>Recipient Name and Address</b>
db	+ Robert Allan Forester, 7 Ruth Court, Absecon, NJ 08201-1813
519792671	Citibank, NA, - Wawa, PO Box 6139, Sioux Falls, SD 57117-6139
519823618	+ Frank Guaracini, III, 2123 Dune Drive, Suite 11, Avalon, NJ 08202-2000
519792674	+ Helix Financial by Bank of Orrick, 113 E. South Front Street, Orrick, MO 64077-2515
519792676	+ Mazda Financial Services, 6400 Main Street, Suite 200, Amherst, NY 14221-5803
519792679	+ NJ Higher Education, PO Box 544, Trenton, NJ 08625-0544
519792683	+ Tax Collector, City of Absecon, 500 Mill Road, Absecon, NJ 08201-1940
519820017	+ Toyota Motor Credit Corporation, P.O. Box 330, Williamsville, New York 14231-0330
519792684	+ Uetsa Tsakits, Inc., d/b/a Maxlend, PO Box 760, Parshall, ND 58770-0703
519792685	+ Uprova Credit, LLC, 635 East Highway 20, V, Upper Lake, CA 95485
519792687	+ WLCC Lending BGL, d/b/a Bison Green Lending, PO Box 191, Pine Ridge, SD 57770-0191

TOTAL: 11

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

<b>Recip ID</b>	<b>Notice Type: Email Address</b>	<b>Date/Time</b>	<b>Recipient Name and Address</b>
smg	Email/Text: usanj.njbankr@usdoj.gov	May 24 2023 20:59:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpregion03.ne.ecf@usdoj.gov	May 24 2023 20:59:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
519792665	Email/PDF: bncnotices@becket-lee.com	May 24 2023 21:24:05	American Express, PO Box 981535, El Paso, TX 79998-1535
519798112	+ Email/Text: bkfilings@zwickerpc.com	May 24 2023 21:00:00	American Express National Bank, AENB, c/o Zwicker and Associates, P.C., Attorneys/Agents for Creditor, P.O. Box 9043, Andover, MA 01810-0943
519792666	Email/Text: BankruptcyNotices@aafes.com	May 24 2023 20:59:00	Army/Air Force Exchange, PO Box 650410, Dallas, TX 75265-0410
519792667	Email/Text: fwdbctl@spotloan.com	May 24 2023 20:59:34	BlueChip Financial, d/b/a Spotloan, PO Box 720, Belcourt, ND 58316
519809457	Email/Text: Bankruptcy.RI@Citizensbank.com	May 24 2023 20:58:00	Citizens Bank N.A., One Citizens Bank Way Mailstop JCA115, Johnston, RI 02919
519845562	Email/Text: BKSPSElectronicCourtNotifications@spservicing.com	May 24 2023 21:00:00	CSMC 2018-SP2 Trust, c/o Select Portfolio Servicing, Inc., P.O. Box 65250, Salt Lake City UT 84165-0250
519792668	+ Email/Text: bankruptcy@cavps.com	May 24 2023 20:59:00	Cavalry Portfolio Servicing, 500 Summit Lake Drive, Suite 400, Valhalla, NY 10595-2321
519794893	+ Email/Text: bankruptcy@cavps.com	May 24 2023 20:59:00	Cavalry SPV I, LLC, PO Box 4252, Greenwich, CT 06831-0405
519792669	+ Email/PDF: Citi.BNC.Correspondence@citi.com		

District/off: 0312-1

User: admin

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Date Rcvd: May 24, 2023

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519792670	Email/PDF: Citi.BNC.Correspondence@citi.com	May 24 2023 21:12:44	Citibank - Home Depot, PO Box 6500, Sioux Falls, SD 57117-6500
519792672	+ Email/Text: bankruptcy@collegeave.com	May 24 2023 21:24:09	Citibank - Staples, P O Box 6403, Sioux Falls, SD 57117-6403
519792673	+ Email/Text: bfore90210@aol.com	May 24 2023 20:58:00	College Avenue Student Loan, 1105 N. Market Street, 20th Floor, Wilmington, DE 19801-1216
519792675	Email/Text: sbse.cio.bnc.mail@irs.gov	May 24 2023 20:58:00	GinaMarie Forester, 7 Ruth Court, Absecon, NJ 08201-1813
519801059	Email/PDF: resurgentbknotifications@resurgent.com	May 24 2023 20:59:00	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
519792676	^ MEBN	May 24 2023 21:12:44	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
519817417	+ Email/Text: bankruptcydpt@mcmcg.com	May 24 2023 20:58:32	Mazda Financial Services, 6400 Main Street, Suite 200, Amherst, NY 14221-5803
519792677	+ Email/Text: netcreditbnc@enova.com	May 24 2023 20:59:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
519845270	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	May 24 2023 21:00:30	NetCredit, 175 W. Jackson Boulevard, Suite 1000, Chicago, IL 60604-2863
519792680	+ Email/PDF: resurgentbknotifications@resurgent.com	May 24 2023 21:12:52	Portfolio Recovery Associates, LLC, c/o Wawa, POB 41067, Norfolk VA 23541
519792678	Email/Text: NJTax.BNCnoticeonly@treas.nj.gov	May 24 2023 20:59:00	Resurgent Capital Services, PO Box 1269, Greenville, SC 29602-1269
519792681	+ Email/Text: BKSPSElectronicCourtNotifications@spservicing.com	May 24 2023 21:00:00	New Jersey Division of Taxation, Compliance and Enforcement - Bankruptcy, P.O. Box 245, Trenton, NJ 08695-0245
519844329	+ Email/PDF: ebn_ais@aisinfo.com	May 24 2023 21:13:48	Select Portfolio Servicing, Inc., Attn: Bankruptcy Department, PO Box 65250, Salt Lake City, UT 84165-0250
519792883	+ Email/PDF: gecredi@recoverycorp.com	May 24 2023 21:13:12	Synchrony Bank, by AIS InfoSource LP as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
519792682	Email/PDF: gecredi@recoverycorp.com	May 24 2023 21:13:51	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
519792686	Email/Text: bkelectronicnotices@usaa.com	May 24 2023 20:58:00	Synchrony Bank - Paypal Credit, Attn: Bankruptcy Department, Post Office Box 965061, Orlando, FL 32896-5061
			USAA Savings Bank, PO Box 33009, San Antonio, TX 78265-3009

TOTAL: 27

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the

District/off: 0312-1

User: admin

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Date Recd: May 24, 2023

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**complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 26, 2023

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 23, 2023 at the address(es) listed below:

Name	Email Address
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Denise E. Carlon	on behalf of Creditor CSMC 2018-SP2 Trust dcarlon@kmllawgroup.com bkgroup@kmllawgroup.com
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Isabel C. Balboa	ecfmail@standingtrustee.com summarymail@standingtrustee.com
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Robert A. Loefflad	on behalf of Debtor Robert Allan Forester rloefflad@ffhlaw.com ghuie@ffhlaw.com
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U.S. Trustee	USTPRegion03.NE.EDCF@usdoj.gov
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TOTAL: 4